

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 19-cr-20484

v.

HON. STEPHANIE DAWKINS DAVIS
United States District Judge

D-1 PAUL M. DRINKWINE,
a.k.a. Pauli D,

D-2 JUSTIN D. COOPER,
a.k.a. Boo, Just, and

D-3 JOHN C. WILLIAMS,
a.k.a. Jizzle Will,

Violations:

21 U.S.C. §§ 841(a)(1) and 846

18 U.S.C. §§ 1951 and 2

18 U.S.C. §§ 924(c)(1)(A) and 2

Defendants.

SECOND SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES:

FILED
CLERK'S OFFICE
AUG 12 2020

General Allegations

U.S DISTRICT COURT
EASTERN MICHIGAN

At all times material to this indictment:

1. P.D. and B.L. were residents of Sanilac County, Michigan, and were growers and sellers of marijuana, a Schedule I controlled substance, the sale and robbery of which affects commerce.

2. PAUL M. DRINKWINE, JUSTIN D. COOPER, and JOHN C.

WILLIAMS were residents of Genesee County, Michigan.

COUNT ONE

**CONSPIRACY TO POSSESS WITH INTENT TO DISTRIBUTE MARIJUANA
21 U.S.C. §§ 841(a)(1) AND 846**

D-1 PAUL M. DRINKWINE
D-2 JUSTIN D. COOPER
D-3 JOHN C. WILLIAMS

3. Paragraphs 1 and 2 of this Indictment are hereby re-alleged and incorporated by reference.

4. From sometime in 2017, and continuing to on or about November 19, 2017, in the Eastern District of Michigan, PAUL M. DRINKWINE, JUSTIN D. COOPER, and JOHN C. WILLIAMS, knowingly and intentionally combined, conspired, confederated and agreed together and with each other, and with others known and unknown to the Grand Jury, to possess with the intent to distribute 100 kilograms or more of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance, which is attributable to each defendant as a result of his own individual conduct, and the conduct of other conspirators reasonably foreseeable to each of them.

Object of the Conspiracy

5. The object of the conspiracy was to obtain marijuana from P.D. and B.L. and then distribute the marijuana to others.

Manner and Means of the Conspiracy

6. It was part of the conspiracy that members of the conspiracy would act in concert in carrying out their criminal acts.

7. It was further part of the conspiracy that members of the conspiracy would carry firearms, wear gloves, and cover their faces with stocking caps and t-shirt sleeves.

Overt Acts in Furtherance of the Conspiracy

8. In furtherance of the conspiracy, and to effect the objects thereof, PAUL M. DRINKWINE, JUSTIN D. COOPER, JOHN C. WILLIAMS and other members of the conspiracy committed the following overt acts, among others, in the Eastern District of Michigan:

a. On various dates prior to November 19, 2017, including November 10, 2017, PAUL M. DRINKWINE, JOHN C. WILLIAMS and other members of the conspiracy attempted to steal marijuana from, and conduct reconnaissance on, P.D. and B.L.'s residence.

b. On various dates prior to November 19, 2017, including November 12, 2017, PAUL M. DRINKWINE, JUSTIN D. COOPER and other members of the conspiracy travelled to Sanilac County, Michigan to steal marijuana from, and conduct reconnaissance on, P.D. and B.L.'s

residence.

c. On or about November 19, 2017, after having failed to obtain the marijuana by means of theft, PAUL M. DRINKWINE, JUSTIN D. COOPER, JOHN C. WILLIAMS and other members of the conspiracy decided to obtain the marijuana by armed robbery. On that day, PAUL M. DRINKWINE, JUSTIN D. COOPER, JOHN C. WILLIAMS and other members of the conspiracy armed themselves, covered their faces, and attempted to forcibly enter P.D. and B.L.'s residence where they intended to steal the marijuana at gunpoint. During the armed robbery, a gunfight ensued as P.D. and B.L. sought to defend themselves and their drugs. As a result of the gunfight, two conspirators were shot and killed.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 846.

COUNT TWO
CONSPIRACY TO INTERFERE WITH COMMERCE BY ROBBERY
18 U.S.C. § 1951

D-1 PAUL M. DRINKWINE
D-2 JUSTIN D. COOPER
D-3 JOHN C. WILLIAMS

9. Paragraphs 1 and 2 of this Indictment are hereby re-alleged and incorporated by reference.

10. Beginning on or about November 18, 2017 and continuing until on or about November 19, 2017, in the Eastern District of Michigan, PAUL M. DRINKWINE, JUSTIN D. COOPER, JOHN C. WILLIAMS, and others known and unknown to the Grand Jury, knowingly and unlawfully combined, conspired, confederated, and agreed to unlawfully obstruct, delay, and affect commerce, and the movement of articles and commodities in such commerce, by robbery, in that PAUL M. DRINKWINE, JUSTIN D. COOPER, JOHN C. WILLIAMS, and others known and unknown to the Grand Jury, conspired to rob P.D. and B.L. of marijuana by means of actual and threatened force, violence, and fear of injury.

11. In furtherance of the conspiracy, and to effect the objects thereof, PAUL M. DRINKWINE, JUSTIN D. COOPER, JOHN C. WILLIAMS and other members of the conspiracy committed the following overt acts, among others, in the Eastern District of Michigan:

a. On or about November 18, 2017, and continuing until on or about November 19, 2017, PAUL M. DRINKWINE, JUSTIN D. COOPER, JOHN C. WILLIAMS and other members of the conspiracy gathered at DRINKWINE'S residence located at 1011 Campbell Street, Flint, Michigan to discuss and plan robbing P.D. and B.L. of their marijuana.

b. On or about November 19, 2017, PAUL M. DRINKWINE, JUSTIN D. COOPER, JOHN C. WILLIAMS and other members of the conspiracy armed themselves with firearms and a pellet gun to use during the robbery of P.D. and B.L.

c. On or about November 19, 2017, members of the conspiracy travelled to the One Stop Gas Station located at 3910 Fenton Road, Flint, Michigan to obtain gasoline to facilitate their travel to P.D. and B.L.'s residence in Sanilac County, Michigan.

d. On or about November 19, 2017, PAUL M. DRINKWINE, JUSTIN D. COOPER, JOHN C. WILLIAMS and other members of the conspiracy traveled to the Marathon Gas Station located at 1780 S. Dort Highway, Flint, Michigan to obtain gasoline to facilitate their travel to P.D. and B.L.'s residence in Sanilac County, Michigan, and to purchase items to be used in the robbery.

e. On or about November 19, 2017, while at the Marathon Gas Station, DRINKWINE purchased a package of black t-shirts, the sleeves of which various members of the conspiracy used to cover their faces during the robbery of P.D. and B.L.

f. On or about November 19, 2017, while at the Marathon Gas Station, COOPER purchased a black stocking cap to wear during the robbery, along with two boxes of lawn and leaf bags that were to be used by members of the conspiracy to carry away the marijuana they intended to steal from P.D. and B.L.

g. On or about November 19, 2017, PAUL M. DRINKWINE, JUSTIN D. COOPER, JOHN C. WILLIAMS and other members of the conspiracy travelled in three vehicles from Flint, Michigan to Sanilac County, Michigan.

h. On or about November 19, 2017, PAUL M. DRINKWINE, JUSTIN D. COOPER, JOHN C. WILLIAMS and other members of the conspiracy arrived in Sanilac County, Michigan and parked their vehicles near P.D. and B.L.'s residence.

i. On or about November 19, 2017, PAUL M. DRINKWINE, JUSTIN D. COOPER, JOHN C. WILLIAMS and other members of the conspiracy covered their faces, put on gloves, and brandished firearms and a pellet gun as they approached P.D. and B.L.'s front door.

j. On or about November 19, 2017, PAUL M. DRINKWINE, JUSTIN D. COOPER, JOHN C. WILLIAMS and other members of the

conspiracy forcibly entered P.D. and B.L.'s residence while some members of the conspiracy discharged their firearms, shooting P.D., all as part of the planned robbery.

All in violation of Title 18, United States Code, Section 1951.

COUNT THREE
ATTEMPTED INTERFERENCE WITH COMMERCE BY ROBBERY
18 U.S.C. §§ 1951 AND 2

D-1 PAUL M. DRINKWINE
D-2 JUSTIN D. COOPER
D-3 JOHN C. WILLIAMS

12. Paragraphs 1 and 2 of this Indictment are hereby re-alleged and incorporated by reference.

13. On or about November 19, 2017, in the Eastern District of Michigan, PAUL M. DRINKWINE, JUSTIN D. COOPER, JOHN C. WILLIAMS, and others known and unknown to the Grand Jury, knowingly and unlawfully attempted to obstruct, delay, and affect commerce, and the movement of articles and commodities in such commerce, by robbery, in that PAUL M. DRINKWINE, JUSTIN D. COOPER, JOHN C. WILLIAMS, and others known and unknown to the Grand Jury, aided and abetted by each other and others, attempted to rob P.D. and B.L. of marijuana by means of actual and threatened force, violence, and fear of injury.

All in violation of Title 18, United States Code, Sections 1951 and 2.

COUNT FOUR
USING, CARRYING, BRANDISHING, AND
DISCHARGING A FIREARM DURING AND IN RELATION TO
A DRUG TRAFFICKING CRIME AND A CRIME OF VIOLENCE
18 U.S.C. §§ 924(c)(1)(A) AND 2

D-1 PAUL M. DRINKWINE
D-2 JUSTIN D. COOPER
D-3 JOHN C. WILLIAMS

On or about November 19, 2017, in the Eastern District of Michigan, PAUL M. DRINKWINE, JUSTIN D. COOPER, and JOHN C. WILLIAMS knowingly used, carried, brandished, and discharged firearms during and in relation to a drug trafficking crime for which they may be prosecuted in a court of the United States, that is, conspiracy to possess with intent to distribute marijuana as charged in Count One, and during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, that is, attempted interference with commerce by robbery as charged in Count Three, and aided and abetted each other and others in doing so, all in violation of Title 18, United States Code, Sections 924(c)(1)(A) and 2.

FORFEITURE ALLEGATIONS

The allegations contained in Counts One, Two, Three, and Four of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture. Pursuant to Fed.R.Cr.P. 32.2(a), the government hereby gives

notice to the defendants of its intention to seek forfeiture of all proceeds of the alleged violations, direct or indirect, or property traceable thereto; all property that facilitated the commission of the violations alleged, property involved in, or property traceable thereto, the violations alleged in this indictment.

THIS IS A TRUE BILL.

Dated: 8-12-2020

s/GRAND JURY FOREPERSON

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United States District Court Eastern District of Michigan	Criminal Case Cover Sheet	Case Number 19-cr-20484
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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Companion Case Information	Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :	Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AUSA's Initials: <u>APV</u> FILED

Case Title: USA v. Paul M. Drinkwine, et al

CLERK'S OFFICE

AUG 12 2020

County where offense occurred : Genesee

U.S. DISTRICT COURT
EASTERN MICHIGAN
☐ Petty

Check One: ☒ Felony

☐ Misdemeanor

☐ Indictment/ ☐ Information --- no prior complaint.

☐ Indictment/ ☐ Information --- based upon prior complaint [Case number:]

☒ Indictment/ ☐ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information

Superseding to Case No: 19-cr-20484

Judge: Stephanie Dawkins Davis

☒ Corrects errors; no additional charges or defendants.

☐ Involves, for plea purposes, different charges or adds counts.

☐ Embraces same subject matter but adds the additional defendants or charges below:

Defendant name

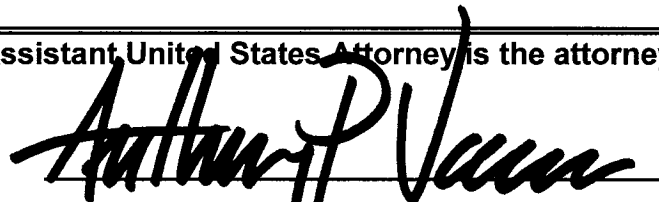
Charges

Prior Complaint (if applicable)

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

August 12, 2020

Date



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¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.